

REMARKS

This Response is submitted in reply to the Final Office Action mailed on January 7, 2009, and in conjunction with the enclosed Request for Continued Examination. Applicant has amended Claims 23 to 27, and 29 to 31. No new matter is added by these amendments. Claims 1 to 22 stand previously cancelled. The Director is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal or credit is made, please indicate the Attorney Docket No. 112857-590 on the account statement.

As noted above, Applicant has filed a Request for Continued Examination with this Response. Accordingly, Applicant requests that the Examiner provide an upcoming Office Action which will “. . . identify any claims which he or she judges, as presently recited, to be allowable and/or . . . suggest any way in which he or she considers that rejected claims may be amended to make them allowable” in accordance with §707.07(d) of the MPEP.

Specification

The Office Action objected to the Abstract of the Disclosure because it appears to be a literal translation from a foreign language. As noted above, Applicant has amended the Abstract to overcome this objection. Accordingly, Applicant respectfully requests that the objection be withdrawn.

Claim Objections

The Office Action objected to Claims 24, 27, and 30 under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant respectfully disagrees with, and traverses these objections. Nevertheless, Applicant has amended these claims for clarity. For example, amended Claim 24 recites, in part: “the capability exchange means, if another upon connection to the network of the additional information processing apparatus is which was not previously connected to the network, collects information regarding a resource and an operating status of the other-additional information processing apparatus and updates the apparatus information table.” Applicant has similarly Amended Claims 27 and 30. Accordingly, Applicant respectfully requests that these objections be withdrawn.

The Office Action objected to Claim 25 because of a minor grammatical error. Applicant has amended Claim 25 to overcome this objection. Amended Claim 25 now reads, in part: “the capability exchange means collects information regarding a resource and an operating status of each of the plurality of processors, and saves these information in the apparatus information table.” Accordingly, Applicant respectfully requests that this objection be withdrawn.

35 USC §103 Rejections

The Office Action rejected Claims 23 to 31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,978,560 to Tan et al. (“Tan”), in view of U.S. Patent No. 6,728,905 to Gnanasivam et al. (“Gnanasivam”), and further in view of U.S. Patent No. 5,031,089 to Liu et al. (“Liu”). Applicant respectfully disagrees with, and traverses, these rejections. Nevertheless, to advance prosecution, Applicant has amended certain of the claims.

Amended independent Claim 23 now recites, in part: “capability exchange means for collecting information regarding resources and operating statuses of the other information processing apparatuses and creating an apparatus information table by transmitting software cells to all the other information processing apparatuses on the network, . . . wherein the capability exchange means, upon connection to the network of an additional information processing apparatus which was not previously connected to the network, collects classification identification information of said information processing apparatus, said classification identification information indicating at least one of a feature and a function of said information processing apparatus”. This amendment is supported in the specification at least in paragraph [0085] of the published specification. For example, paragraph [0085] states, in part: “the information processing apparatus classification ID may indicate functions of the information processing apparatus, such as image/audio recording and image/audio replay” and “[t]he value indicating the feature and the function of the information processing apparatus is predetermined, and it is possible to know the feature and the function of the information processing apparatus by reading the information processing apparatus classification ID.”

Applicant respectfully submits that Tan, Gnanasivam, and Liu, alone or in combination, do not disclose or render obvious an information processing apparatus including a capability exchange means, wherein the capability exchange means, upon connection to the network of an

additional information processing apparatus which was not previously connected to the network, collects classification identification information of said information processing apparatus, the classification identification information indicating at least one of a feature and a function of the information processing apparatus. Tan discloses that the different printers connected to the network have different attributes (such as capability to print on a certain size of paper) and “a user can observe the value of an attribute with a ‘list attributes’ command...”. (Tan, column 4, lines 17 to 18). However, column 4, lines 19 to 22 of Tan state “[t]he print capabilities of a print system are limited by the predefined set of system attributes fixed for each printing system.” In Tan, the attributes of each printer must be manually entered for each printer connected to the network. Therefore, Tan does not disclose these elements of amended Claim 23. Gnanasivam does not cure the deficiencies of Tan. Specifically, in Gnanasivam, when a new node joins the cluster system, the master node controller must perform diagnostics on the new slave node to determine the configuration information of the new slave node. (See, Gnanasivam, column 16, lines 40 to 47, and 65 to 67). Liu does not cure the deficiencies of Tan and Gnanasivam.

Therefore, unlike the information processing apparatus of amended independent Claim 23, Tan, Gnanasivam, and Liu, alone or in combination, do not disclose or render obvious an information processing apparatus including a capability exchange means, wherein the capability exchange means, upon connection to the network of an additional information processing apparatus which was not previously connected to the network, collects classification identification information of said information processing apparatus, the classification identification information including information regarding at least one of a feature and a function of said information processing apparatus. Moreover, it would not have been obvious to one having ordinary skill in the art to modify these references to arrive at such an information processing apparatus without reasonably being construed as impermissible hindsight reconstruction.

For at least these reasons, amended independent Claim 23 is patently distinguished over the cited references, and is in condition for allowance. Claims 24 and 25 depend directly from amended independent Claim 23, and are allowable for similar reasons, and because of the additional features recited in these claims.


Amended independent Claims 26 and 29 have been amended to include similar features as amended independent Claim 23, and are allowable for similar reasons. Claims 27 and 28, and Claims 30 and 31 depend directly from amended Claims 26 and 29, respectively, and are allowable for similar reasons, and because of the additional features recited in these claims.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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